

Entered - 01/02/01 - sb
CL01L0007 - DIANNE C. MITCHELL

01-R-0158

CLAIM OF: **GEICO AS SUBROGEE OF JULIA RETTERER**
4295 Ocmulgee East Boulevard
Macon, Georgia 31295-0001

For damages alleged to have been sustained as a result of a vehicular accident on June 11, 2000 at West Peachtree Street and Northside Drive.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **GEICO AS SUBROGEE OF JULIA RETTERER** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on June 11, 2000 at West Peachtree Street and Northside Drive as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0007

Date: January 23, 2001

Claimant /Victim GEICO AS SUBROGEE OF JULIA RETTERER

BY: (Atty)(Ins. Co.) _____

Address: 4295 Ocmulgee East Boulevard, Macon, Georgia 31295-0001

Subrogation: X Claim for Property damage \$ 2,289.37 Bodily Injury \$ _____

Date of Notice: 12/12/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/28/00 Place: 95 Ardmore Place

Department Police Division: _____

Employee involved Kenneth William Healy Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: The driver of the City vehicle ran a red light and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____

Traffic citations issued: City Driver X Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 01-23-01

Committee Action: _____ Council Action _____



- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company

M. F. Lee
12/28/00
DL

Regional Office:

4295 Ocmulgee East Blvd. ■ Macon, GA 31295-0001

www.geico.com

ENTERED -

01L0007 - DIANNE MITCHELL

December 5, 2000

Atlanta City Counsel
Attn: Municipal Clerk
Trinity Avenue SW
Atlanta GA 30335

RE: Atlanta City Police Department Vehicle # 25112
Driver: K Healy
DOL: 06/11/00
Our Insured: Julia Retterer
Our Claim # 0044675860101036

This letter is formal notice of our Subrogation intent in result of the above accident.

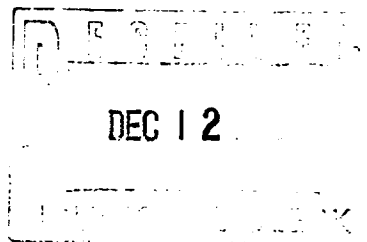
On June 11, 2000 our insured, Julia Retterer was driving through the intersection of West Paces Ferry Road & Northside Drive NW in Atlanta Georgia. As our insured proceeded through the intersection with a green light, your police vehicle also came through the intersection with no siren on and the two cars collided. Our investigation finds the Police vehicle at fault for failure to yield the right of way.

Following are our supporting documents. We ask that you review this claim and issue payment to GEICO.

If you have any questions, or need additional information, please feel free to contact me,

Sincerely,

Tiffany Cortez
GEICO Payment Recovery Unit
800-841-9160 x5956



GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0007

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Kenneth William Healy, from any and
all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for
or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident

which occurred on or about the 11th day of June, 2000,

at or near West Peachtree Street and Northside Drive

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 22nd day of January, 2001

Tiffany Corbett (LS)
GEICO AS SUBROGEE OF JULIA RETTERER

The above release was read and explained to, and signed by the said Tiffany Corbett

_____ in our presence on the date above written.

Stephanie B. Evans
Amanda S. Howard
Witnesses

01-R-0158